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PART IV

GOVERNMENT OF MEGHALAYA

DISTRICT COUNCIL AFFAIRS DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 9th September, 2011.

No.GDC-L/87/Pt.11/232.—In exercise of the powers conferred under section 7 of the Garo Hills Autonomous District (Members' Pension) Act, 2007, the Executive Committee, Garo Hills Autonomous District Council is pleased to make the following Rules.

THE GARO HILLS AUTONOMOUS DISTRICT COUNCIL

(MEMBERS' PENSION) RULES, 2011.

1. **Short title and Commencement:**— (1) These rules may be called the Garo Hills Autonomous District Council (Members' Pension) Rules, 2011.
(2) They shall be deemed to have come into force with immediate effect.
2. **Definition:**—In these rules unless the context otherwise requires:—
 - (a) 'Act' means the Garo Hills Autonomous District (Members' Pension) Act, 2007;
 - (b) 'Executive Committee' means the Executive Committee of the Garo Hills Autonomous District Council;
 - (c) 'Forms' means the forms appended to these rules;
 - (d) 'Secretary' means the Secretary of the Executive Committee of the Garo Hills Autonomous District Council;
 - (e) 'Section' means the section of the Act; and
 - (f) 'Members' means the elected members of the Garo Hills Autonomous District Council.
3. (1) A Member will be eligible for pension as per Section 4 of the Act;

Provided that the pension of the Member entitled under Section 4 shall be held in abeyance or be reduced in certain circumstance or entirely ceased to operate for the period during which such Member is holding public office as defined under Section 5 of the Act.

(2) Application for pension :- A Member entitled to pension under Section 4 of the Act shall make an application in Form 1 along with certificate in Form 3 in duplicate to the Secretary.

4. Order determining pension. (1). Every application received under Rule 3 (I) shall be scrutinized by the Secretary with a view to determining as to whether the applicant is entitled to any pension under the provision of the Act and for such other information from the applicant as he may deem fit.

Provided that if a Member has at any time, become an elected Member of Meghalaya Legislative Assembly and is drawing pension from the state fund, he or she will not be entitled to pension as MDC of GHADC.

(2) After the application has been scrutinized, the Secretary shall by orders determine the amount of pension payable to the applicant under the Act.

(3) After determination of the amount of pension under sub-rule (2) above and on being satisfied that the applicant is entitled to pension, the Secretary shall issue and order sanctioning the pension in Form 2 and communicate the same to the Member and to the Secretary, Legislative Department and the Accounts Officers, of the Garo Hills Autonomous District Council.

(4) The pension will be admissible to an applicant entitled to receive it under Section- 4 of the Act from the date of Commencement of the Act.

Provided that where the Secretary is of the opinion that the applicant is not entitled any pension he shall be given an opportunity of being heard before passing any order.

5. Authorizations for payment of pension:- (1) On receipt of the order sanctioning pension under Rule 4, the Secretary, Legislative Department shall prepare the pension under pension bill form and forward the bill to the Accounts Officers for necessary passing.

(2) The Accounts Officers will be responsible for deducting from the pension excess amount resulting from previous over payment if any, as may be indicated by the Secretary.

6. Date of payment of pension:- The pension sanctioned under these rules shall be payable from the date specified in the order and it shall not be commuted for a lump-sum amount. The pension shall become due for payment only on expiry of the month to which it relates.
7. Death of pensioners:- In the event of the death of the pensioner the amount of pension due till the date of his /her death including unpaid arrears shall be paid to his/her legal heir duly supported by Indemnity Bond or Succession Certificate.
8. Mistake in calculation of the pension period:- Pension sanctioned to any Member under these rules is liable to be cancelled or modified if it is found that there has been any errors in the evaluation of the period of the eligibility for the grant of pension
9. Over payment or irregular payments, etc :- If any over payments are made, the amounts so overpaid shall be adjusted in the subsequent payment.
10. Recovery of Dues:- Dues, if any towards arrears of Quest Charges, Trunk call charges, Loss of Councils Books or any other dues from the pensioner when he or she was a Member of the District Council shall also be recovered from the pension payable to him/her.
11. Final Decision:- If any controversy arises as to the entitlement of pension or interpretation of these rules the matter shall be referred to the Executive Committee whose decision in the matter shall be final.

P. K. SANGMA,
Chief Executive Member,
Garo Hills Autonomous District Council. Tura.

FORM-1

**GARO HILLS AUTONOMOUS DISTRICT COUNCIL.
DISTRICT COUNCIL MEMBERS' PENSION APPLICATION.**

See Rule-3 (2).

To

The Secretary, to the Executive Committee,
Garo Hills Autonomous District Council, Tura.

1. Name of the applicant (in Block letters)
2. Father's Name.....
3. Permanent residential address.....
.....
.....
4. Details of period as Members of District Council.
5. (a). Name of constituencyfromto.....
(b). Name of constituency.....from.....to.....
6. Amount of pension claimed.
7. Identification marks of the applicant.
8. Three copies of latest photograph (in passport size) duly attested by the Secretary, Executive Committee.
9. Three specimen signature duly attested by the Secretary, Executive Committee.
10. Whether the applicant is in receipt any salaries or pension either from State or Central Government or any Corporation owned or controlled by the Central Government or State Government or any Local Authority.

I certify that all the particulars furnished above are true and correct to the best of my knowledge and belief.

Place

Date

Signature of the applicant.

FORM-2

See Rule-4 (3).

ORDER

The undersigned having satisfied that Shri/Smt
has served as a Member of the Garo Hills Autonomous District Council during the
following period :-

From.....to.....
hereby orders that grant of pension of Rs...../- per mensem to Shri/Smt

.....
which may be accepted by the Accounts Officer under the rules.

The grant of this pension shall take effect from.....

The pension herein sanctioned is payable at the office of the Garo Hills
Autonomous District Council, Tura.

Date.....

The.....

Secretary,
Executive committee
Garo Hills Autonomous District Council, Tura.

No.....

Dated Tura, the200.....

Memo No.GDC-L/8/87/pt.II

Dated Tura, the200.....

Copy to:

1. The Accounts Officers, Garo Hills Autonomous District Council, Tura.
2. Treasury Officer.
3. Members, Smt/Shri.....

By Order, etc.
Secretary, Executive Committee,
Garo Hills Autonomous District Council, Tura.

.....*****.....

FORM-3

See Rule-3(2)

Certified that Shri / Smt Son/Daughter/Wife of
..... is known to me and is a resident of District
.....

Place

M.D.C. / Magistrate.

Dated.....

(Seal)